IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 23661 of 2007(P)

PETITIONER:

T.C. MUHAMMED BASHEER,
THAYATTUCHIRA VEEDU,
AMMAYIPALAM,
SULTHAN BATHERY.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL

RESPONDENTS:

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1. THE SECRETARY,
SULTHAN BATHERY GRAMA PANCHAYATH,
WAYANAD.

2. THE POLLUTION CONTROL BOARD
REPRESENTED BY SECRETARY,
OFFICE OF THE POLLUSION BOARD,
PALLAM,THIRUVANANTHAPURAM.

R2 BY ADV. SHRI M.K. CHANDRAMOHAN DAS, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 23661 OF 2007 P

Dated this the 2nd August, 2007

JUDGMENT

Petitioner challenges Ext.P5. It is issued by the first respondent Secretary of Sulthan Bathery Grama Panchayat, directing the petitioner who is vending meat, to stop the operation. According to petitioner, he is having duly issued licence and he is doing it after inspection by the authorised Officer for that purpose and the Secretary of the Panchayat. Heard the learned standing counsel appearing for the second respondent, Pollution Control Board, who points out Ext.P6. But, I note that Ext.P5 is appealable before the Panchayat Council. But, there is a direction to close down within three days. In such circumstances, the petitioner is relegated to the pursuit of the alternate remedy. In order to facilitate to avail the alternate remedy of appeal before the Appellate Forum, Ext.P5 shall be kept in abeyance for a period of one week from today.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

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